

**HYLAND LEVIN LLP**

By: Peter J. Boyer, Esquire  
6000 Sagemore Drive, Suite 6301  
Marlton, New Jersey 08053-3900  
Phone: (856) 355-2912  
Fax: (856) 355-2901

*Attorneys for Medford Village East Associates, LLC*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
CAMDEN VICINAGE**

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MEDFORD COMMONS, LLC,

Plaintiff,

-against-

LEXON INSURANCE COMPANY and  
BOND SAFEGUARD INSURANCE  
COMPANY, jointly and severally,

Defendants,

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TOWNSHIP OF MEDFORD,

Intervenor-Plaintiff,

-against-

LEXON INSURANCE COMPANY and  
BOND SAFEGUARD INSURANCE  
COMPANY, jointly and severally,

Defendants,

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LEXON INSURANCE COMPANY and  
BOND SAFEGUARD INSURANCE  
COMPANY,

Third-Party Plaintiff,

-against-

FREEDMAN COHEN DEVELOPMENT, LLC,  
MEDFORD VILLAGE EAST  
ASSOCIATES, LLC, CARL FREEDMAN,  
Individually AND MITCHELL COHEN,

Civil Action No. 1:11-CV-188-NLH-KMW

Removed from the Superior  
Court of New Jersey,  
Docket No. BUR-L-222-08,  
by Notice filed on January 11, 2011

**NOTICE OF MOTION FOR REMAND  
AND FOR OTHER RELIEF**

Individually, :  
 :  
Third-Party Defendants, :  
 :  
\_\_\_\_\_: :  
 :  
MEDFORD VILLAGE EAST ASSOCIATES, :  
LLC, :  
 :  
Fourth-Party Plaintiffs, :  
 :  
-against- :  
 :  
MEDFORD COMMONS, LLC, TOWNSHIP :  
OF MEDFORD, FREEDMAN COHEN :  
DEVELOPMENT, LLC, CARL FREEDMAN, :  
Individually, MITCHELL COHEN, Individually, :  
PENNONI ASSOCIATES, and JOHN DOES 1 :  
THROUGH 5, :  
 :  
\_\_\_\_\_: :  
Fourth-Party Defendants.

**PLEASE TAKE NOTICE** that on Monday, February 7, 2011, or as otherwise Ordered by the Court, which includes any Order entered with respect to the application filed herewith by MVE for an expedited hearing on the application referenced herein, fourth party plaintiff, Medford Village East Associates, LLC (hereinafter “MVE”), shall apply to and before the United State District Court for the District of New Jersey, Mitchell H. Cohen Courthouse, 1 John F. Gerry Plaza, 400 Cooper Street, Camden, NJ 08101-2067, at 9:00 a.m., for the entry an Order remanding the above-captioned matter to the Superior Court of New Jersey, Burlington County, Law Division, Docket No. BUR-L-222-08, and for costs, fees and expenses, pursuant to 28 U.S.C. 1447(c). In support of the Motion, MVE will rely on the Brief, Certification of Stephen D. Samost, Esquire, and other documents filed herein, along with any and all subsequent submissions and arguments, as well as the pleadings of record.

**PLEASE TAKE FURTHER NOTICE** that any objection to this Motion, or any other response, must be served and filed so as to be received by the undersigned counsel within the time period provided in the Local District Court Rules and Federal Rules of Civil Procedure, or as otherwise established by the Court.

**PLEASE TAKE FURTHER NOTICE** that, if no objections are received with respect to the Motion, the Court may enter an Order approving the Motion without a hearing and without further notice.

**PLEASE TAKE FURTHER NOTICE** that the moving party seeks an award of its costs and expenses, including the legal fees of its attorneys and co-counsel, pursuant to 28 U.S.C. §1447(c), with respect to the matters that are the subject of the Motion, the details of and support for which are set forth in the enclosed documents.

**HYLAND LEVIN LLP**

January 14, 2011

/s/Peter J. Boyer  
Peter J. Boyer, Esquire  
6000 Sagemore Drive, Suite 6301  
Marlton, New Jersey 08053-3900  
Phone: (856) 355-2912  
Fax: (856) 355-2901  
*Attorneys for Medford Village East  
Associates, LLC*